

### REMARKS

After the foregoing amendment, claims 23-25, 27-35 and 38-53, as amended, are pending in the application. Claims 41, 45, 47, 48, 50, 51 and 53 have been amended to more clearly point out and distinctly claim that which Applicant regards as the invention. Claims 1-22, 26 and 36-37 stand canceled. Applicant submits that no new matter has been added to the application by the Amendment.

Applicants respectfully request that the Amendment After Final be entered in accordance with 37 CFR §116 and MPEP 714.13 since: (1) no new matter has been added to the application by the Amendment; (2) the Amendment resolves all issues raised by the Examiner in the Final Office Action; (3) the subject matter of the Amendment already has been included in the Examiner's search and therefore does not require the Examiner to perform further searching; (4) the Amendment places the application in condition for allowance or in better form for appeal and (5) the Amendment does not result in a net addition of claims to the application.

### Interview

The Examiner wishes to thank Examiner Huntsinger for the courtesy of an interview held on August 18, 2010 in which the features of claim 45 in relation to the cited prior art were discussed.

### Rejection - 35 U.S.C. § 112

The Examiner rejected claims 23-25, 27-35, 38-50 and 53 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses the rejection.

#### Claims 45 and 48

Independent Claim 45 recites, *inter alia*, "A method of controlling the display on a client terminal ... comprising: ...providing the display information ... to the client terminal in response to the second request, ..., the display information being stored in the client terminal without being displayed, ... and ... transmitting a third request to the data processing apparatus subsequent to storing the display information, wherein in response to the third status request,

...and the client terminal displays, ..., the one and only the one of the plurality of previously stored and un-displayed icons representative of the status of the data processing apparatus."

*"The requirement to 'distinctly' claim means that the claim must have a meaning discernible to one of ordinary skill in the art when construed according to correct principles....Only when a claim remains insolubly ambiguous without a discernible meaning after all reasonable attempts at construction must a court declare it indefinite." Metabolite Labs., Inc. v. Lab. Corp. of Am. Holdings, 370 F.3d 1354, 1366, 71 USPQ2d 1081, 1089 (Fed. Cir. 2004) MPEP 2173.02*

Claim 45 clearly recites the act of displaying one of the previously stored icons to be subsequent to the act of storing and not displaying the icons. The claimed act of storing and not displaying and the claimed act of displaying are separate and distinct acts. Claim 45 would clearly have a meaning discernable to one of ordinary skill in the art. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 112 rejection of independent claim 45.

Independent claim 48 recites, *inter alia*, ... a client terminal which stores without displaying display control information in response to a second request and displays the previously un-displayed information in response to a third request. While claim 48 is a system claim, claim 48 clearly distinguishes the client terminal storing and not displaying display information in response to second request from displaying the previously un-displayed information in response to a third request. Accordingly, claim 48 is allowable over § 112 for essentially the same reasons that claim 45 is allowable.

#### Claim 41

Claim 51, from which claim 41 depends, defines display control information as information for controlling the client to display the status of the data processing apparatus. Claim 51 also defines display information as comprising a plurality of icons. Applicant respectfully submits that one of ordinary skill in the art would clearly understand that the claimed control information, as control information, could obtain the display information. Accordingly Applicant respectfully requests reconsideration and withdrawal of the § 112 rejection of claim 41.

Claims 47, 50 and 53

Applicant has corrected the antecedent basis in claims 47, 50 and 53. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 112 rejection of claims 47, 50 and 53.

Claims 23-25, 27-35, 38-40, 42-44, 46, and 49

Claims 23-25, 27-35, 38-40, 42-44, 46, and 49 are allowable based on their respective dependencies from allowable claims 45 and 48.

**Rejection - 35 U.S.C. § 103**

The Examiner rejected claims 23-25, 27-35 and 38-53 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0036793 ("Roosen"), in further view of U.S. Patent No. 7,293,067 ("Maki"). Applicant respectfully traverses the rejection.

Amended claim 41 recites:

45. *A method of controlling the display on a client terminal of a status of a data processing apparatus connected to the client terminal via a network comprising:*

*transmitting a first request for display control information to the data processing apparatus ;*

*providing the display control information to the client terminal in response to the first request and thereafter storing the display control information;*

*transmitting a second request for display information to the data processing apparatus based on the stored display control information;*

*providing the display information from the data processing apparatus to the client terminal in response to the second request, said display information comprising a plurality of icons representative of the status of the data processing apparatus, the display information being stored in the client terminal without being displayed; and*

*transmitting a third request to the data processing apparatus subsequent to storing the display information, wherein in response to the third status request,*

*the data processing apparatus transmits identification data representative of the status of the data processing apparatus to the client terminal, and the client terminal displays, based on the identification data, the one and only the one of the plurality of previously stored and un-displayed icons representative of the status of the data processing apparatus.*

The Examiner points to paragraph [0109] of Roosen as disclosing the storing of display control information at the client terminal in response to a status request and using the stored display information to respond to subsequent status requests. Applicant respectfully submits that the Examiner has misconstrued Roosen.

Roosen at paragraph [0099] describes a process in which a browser B in a client computer requests web pages from a server 310. A device status frame 45 (Fig. 15) is one of several frames in a web page which is transmitted from the server in response to each request from the browser. The status frame 45 displays icons which represent the status of each printer known to the server. In paragraph [0109], Roosen describes a script included in the web page that causes the browser to request updated web frames at prescribed intervals. Thus, at the prescribed intervals, the browser transmits a status request to the server, requesting at least one new frame, for instance the device status frame 45.

As described by Roosen at paragraphs [0104] and [0109] the server creates frame 45 which “presents information on the printers of the group including their statuses.” Each time a request is made to the server, the server formulates a new frame 45, including the control information for displaying the display information and updated status icons.

The method disclosed by Roosen dynamically prepares a web page containing the requested information and sends the requested web page to the requesting browser. The web server is disclosed as having a set of web pages available for different browser requests, (see paragraph [0099]). The web server is of a kind that that uses Active Server Pages (ASP.NET). Based on the foregoing, one skilled in the art would understand that each web page is generated using HTML and includes both information to be displayed and the control information for displaying the information in each frame of the web page.

It is clear that Roosen transmits frame 45 including a plurality of updated status icons from the server to the client each time status is requested by the client. The updated icons

transmitted from the server in response to each status request represent the status of each printer known to the server. As shown by Roosen in Fig. 15, the client PC displays frame 45 including all the updated status icons each time it is received.

Amended claim 45 recites providing display information from the data processing apparatus to the client terminal in response to a second request, wherein, based on the second request, the display information is then stored by the client terminal without being displayed. In contrast, Roosen displays the display information received in frame 45 on the client PC in response to each request for status information made by the client PC.

Further, amended claim 45 recites transmitting identification data from the data processing apparatus to the client terminal in response to a third request, wherein the client terminal displays the one and only the one of the plurality of previously stored and un-displayed icons representative of the status of the data processing apparatus. In stark contrast, in response to each status request, Roosen displays frame 45 as received, and further displays not just the status of a single printer queried by the client terminal, but rather, the status of every printer known to the server.

Maki does not disclose, teach or suggest storing but not displaying display information based on second request and not displaying the stored and un-displayed information received in the second request until a third request is received. Maki does not make up for Roosen's deficiencies. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 45.

Amended independent claims 48 and 51 include limitations equivalent to amended claim 45. Accordingly, claims 48 and 51 are allowable for the same reasons that claim 45 is allowable.

Claims 23-25, 27-35, 38-44, 46-47, 49-50 and 52-53 depend from claims allowable 45, 48 and 51. Accordingly, claims 23-25, 27-35, 38-44, 46-47, 49-50 and 52-53 are allowable based at least on their respective dependency from allowable claims 45, 48 and 51.

### **Conclusion**

Insofar as the Examiner's objections and rejections have been fully addressed, the instant application, including claims 23-25, 27-35, and 38-53 is in condition for allowance and Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,  
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(Date)

  
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